

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 265 - HB 257

April 23, 2019

SUMMARY OF ORIGINAL BILL: Creates a Class D felony offense for any person who knowingly uses a communication or electronic device to obtain information from an elderly adult concerning the elderly adult's medical condition or health, sends unsolicited or specifically refused medical supplies to the elderly adult and files a claim or submits a bill with the state Medicare plan for reimbursement.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (008743): Deletes and replaces all language after the enacting clause such that the only substantive change is to specify that an entity may also commit such offense.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 71-5-2601(a)(4), it is a Class D felony offense for any person, firm, corporation, partnership, or other entity to knowingly and willfully falsify, conceal, or omit by any trick, scheme artifice, or device a material fact, to make any materially false fictitious or fraudulent statement or representation, or make or use any materially false writing or document related to medical assistance benefits.
- Based on information provided by the Department of Correction, there have been zero convictions under Tenn. Code Ann. § 71-5-2601(a)(4) over the past 10 years; therefore, any fiscal impact resulting from creating the offense relating to medical assistance benefits outlined in the proposed legislation is estimated to be not significant.
- Any impact to the court system is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj